

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1 and 3-20 remain in the application. Claims 1 and 18-20 have been amended. Claim 2 has been cancelled.

In the section entitled "Claim Rejections - 35 USC § 102" on pages 2-3 of the above-mentioned Office action, claims 1, 3-6, 8, 10, and 12-20 have been rejected as being anticipated by Haas et al. (US Pat. No. 5,598,779) under 35 U.S.C. § 102(b).

In the section entitled "Claim Rejections - 35 USC § 103" on pages 3-4 of the above-mentioned Office action, claims 1, 3-8, 10, and 12-20 have been rejected as being unpatentable over Haas et al. in view of what is well known in the art and the Admitted Prior Art under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references. However, the language of claims 1 and 18-20 has been slightly amended in an effort to even more clearly define the invention of the instant application. The amendment is

clearly supported, for example, by Figs. 1-2 and the corresponding description in the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 18-20 call for, inter alia:

paths formed on said first and second transfer elements for mutually adjacently conveying copies of flat sheet material on said paths, said paths defining a common wedge-shaped region below said transfer center line, and said paths being jacket surfaces of cylinders;

...

a guiding device accommodated in said wedge-shaped region for maintaining a separation of the copies.

The invention of the instant application relates to a device for separating copies (7, 20) of a flat sheet material. The device includes a first transfer element (12) and a second transfer element (1) associated with the first transfer element, having rotational axes defining a transfer center line (12.1) therebetween. Paths are formed on the first and second transfer elements (12, 1) for mutually adjacently conveying copies of flat sheet material on the paths. The paths define a common wedge-shaped region. A transfer region (26) is

formed above the transfer center line (12.1). One of the copies of the flat sheet material on one of the paths is passed over at the transfer region to another of the paths whereon another of the copies is conveyed. A guiding device (17) is accommodated in the wedge-shaped region for maintaining a separation of the copies.

Haas et al. show a turning device with a so-called "one-drum-turning" in which the sheet is turned over between two printing units with only one drum. A blowing device 9 is disposed between the first printing cylinder 2 and the turning drum 1 above a gusset formed by the drum 1 and the cylinder 2. The blowing device 9 has the task to make the separation or "peeling off" of the sheets from the first printing cylinder 2 easier. In contrast, the guiding device (17) according to the invention of the instant application is accommodated in a wedge-shaped region below the transfer center line (12.1).

The object to be achieved by the device according to the invention of the instant application, namely the separation of the sheets, which are to be transported, located on one transport path, from sheets located on another transport path is not recognized at all by Haas et al. Haas et al. also do not contain any suggestion or motivation toward achieving the object of the invention of the instant application.

Clearly, Haas et al. do not show "paths formed on said first and second transfer elements for mutually adjacently conveying copies of flat sheet material on said paths, said paths defining a common wedge-shaped region below said transfer center line; ... a guiding device accommodated in said wedge-shaped region for maintaining a separation of the copies," as recited in claims 1 and 18-20 of the instant application.

Claims 1 and 18-20 are, therefore, believed to be patentable over Haas et al. and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

Applicant acknowledges the Examiner's statement in the section entitled "Allowable Subject Matter" on page 4 of the above-mentioned Office action that claims 9 and 11 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Since claim 1 is believed to be patentable as discussed above and claims 9 and 11 are ultimately dependent on claim 1, they are believed to be patentable in dependent form. A rewrite is therefore believed to be unnecessary at this time.

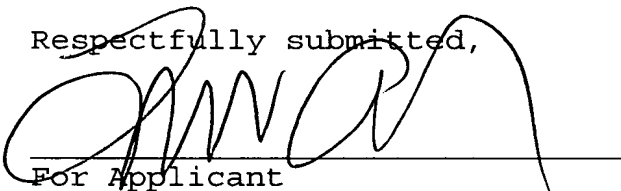
In view of the foregoing, reconsideration and allowance of claims 1 and 3-20 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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